

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA**

Acer, Inc.,

*Plaintiff,*

v.

Volkswagen, AG and Volkswagen Group of  
America, Inc.,

*Defendants.*

C.A. No. 1:21-cv-01390

**UNOPPOSED MOTION FOR EXTENSION OF TIME FOR  
DEFENDANT TO RESPOND TO COMPLAINT**

Defendant Volkswagen Group of America, Inc. (“VWGoA”), by counsel and pursuant to Fed. R. Civ. P. 6(b)(1) and Local Civil Rule 7(F)(2)(b), files this unopposed motion for an extension of time up to and including Monday, February 7, to answer, plead, or otherwise respond to the Complaint filed by Plaintiff Acer, Incorporated. Defendant states as follows:

The Complaint in this matter was filed on December 15, 2021. Plaintiff served VWGoA on December 17, 2021. VWGoA’s response to the Complaint is currently due on January 7, 2022. Volkswagen AG is also a defendant in this matter but has not yet been served.<sup>1</sup>

In the Complaint, Plaintiff has asserted infringement of five different patents:

- U.S. Patent 8,483,677, entitled “Method of Managing Mobility Management Layer of a Mobile Device,” which issued on July 9, 2013;

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<sup>1</sup> Volkswagen AG is a foreign entity, and must be served according to the Hague Convention. Pursuant to corporate policy, counsel for VWGoA may not accept service for Volkswagen AG nor can Volkswagen AG be served directly through VWGoA, through summons or otherwise.

- U.S. Patent 8,787,304, entitled “Method for Reference Signal Pattern Allocation and Related Communication Device,” which issued on July 22, 2014;
- U.S. Patent 8,798,663, entitled “Method of Performing Power Headroom Reporting and Communication Device Thereof,” which issued on August 5, 2014;
- U.S. Patent 9,363,059, entitled “Method of Handling Component Carrier Activation and Deactivation and Communication Device Thereof,” which issued on June 7, 2016; and
- U.S. Patent 9,426,765, entitled “Method of Handling Uplink Synchronization and Related Communication Device,” which issued on August 23, 2016.

Given the number and complexity of the patents and claims asserted against it, and in light of extended office closings for holiday observances, VWGoA needs additional time to properly investigate and respond to the many allegations in the Complaint.

This extension does not present a risk of prejudice to Acer, Inc., and as the case remains in the early stages of litigation, the extension will not significantly affect the proceedings. The Court has not yet entered a scheduling order in this matter, and no other responsive motions are pending before the Court. Counsel for VWGoA has spoken with Plaintiff’s counsel, and Plaintiff does not oppose Defendant’s request for an extension of time.

WHEREFORE, Defendant VWGoA respectfully requests that the Court enter the attached order granting VWGoA an extension of time through and including February 7, 2022 to answer, plead, or otherwise respond to the Complaint.

Dated: December 29, 2021

Respectfully submitted,

By: /s/ Daniel E. Yonan

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**CERTIFICATE OF SERVICE**

I hereby certify that on December 29, 2021, a true and correct copy of the foregoing was served using the Court's CM/ECF system, with electronic notification of such filing to all counsel of record.

/s/ Daniel E. Yonan

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